

**MAPLETON CITY**  
**PLANNING COMMISSION MINUTES**  
February 13, 2013

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**PRESIDING AND CONDUCTING:** Jared Bringhurst

**Commissioners in Attendance:** John Gappmayer  
Leslie Jones  
Thomas Quist  
Mike Tippets

**Staff in Attendance:** Sean Conroy, Community Development Director

**Minutes Taken by:** April Houser, Executive Secretary

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Chairman Bringhurst called the meeting to order at 6:30pm. John Gappmayer led the Pledge and Leslie Jones gave the invocation.

*Items are not necessarily heard in the order listed below.*

**Item 1. Planning Commission Meeting Minutes – January 10, 2013.**

**Motion:** Commissioner Tippets moved to approve the January 10, 2013 Planning Commission Minutes.

**Second:** Commissioner Jones

**Adjourn:** Unanimous

**Item 2. Consideration of a request for a Conditional Use Permit to reopen a service station that includes a fast food restaurant in the General Commercial (GC-1) Zone.**

**Sean Conroy**, Community Development Director, went over the Staff Report for those in attendance. The building has been out of business for a couple years now. The only real code issue is the lack of trees, which is included in the conditions of approval listed in the Staff Report. **Commissioner Jones** would like some assurance made that the trees being installed do not create visibility problems around the property.

**Chairman Bringhurst** opened the Public Hearing. **Randall Reeves** stated that they are concerned with what the Conditional Use will allow them to do on the property. He wondered if alcohol would be sold there, and Sean stated that it would follow state standards. The gas tanks have to be safety inspected and approved, so everything will need to be brought up to code. The current parking stalls would meet code. **Faye Quarenburg** stated that the kids use the drive thru area for skate boarding there. She is worried about the children's safety in that area, if the trees are sight obscuring. Sean stated that the Commission can lower the number of trees if desired. The Commission would like staff to ensure there is are no blind areas in the landscaping that would increase the danger due to lack of visibility. **Dayva Heart** stated that there is a structure in the triangle area. She likes the idea of xeroscaping. She thinks trees would be a detriment to the driving and sight in this area. She is not opposed to the business going in. She feels trees would be a mistake. No additional comments were given and the Public Hearing was closed. The Commission feels there should be a beautification system put in place without a requirement of trees.

**Motion:** Commissioner Gappmayer moved to approve a Conditional Use Permit to reopen a service station that includes a fast food restaurant in the General Commercial (GC-1) Zone with the conditions listed below:

1. The applicant shall obtain a business license prior to opening for business.
2. The applicant shall obtain a permit from the Utah County Health Department prior to opening the restaurant.
3. The applicant shall submit a landscape plan and receive approval from the City.
4. Prior to opening for business, the applicant shall submit a signage plan. All proposed signage shall comply with MCC Chapter 18.86.040.
5. The maintenance and operation of the fuel tanks shall comply with the requirements of MCC Chapter 18.84.210.
6. The use shall be conducted in a manner consistent with the presentations and statements submitted in the application and at the public hearing, and any change in the use which would alter the findings or conditions adopted as part of this permit shall require approval of an amended use permit by the Planning Commission.
7. Violations of the terms of this use permit or other ordinances of the City may constitute grounds for revocation of this permit and associated business license by the Planning Commission.
8. If the proposed use is abandoned for a period of six months or more, the use permit will become null and void.

**Second:** Commissioner Quist

**Vote:** Unanimous

**Item 3. Consideration of a request for a Conditional Use Permit to reopen a greenhouse facility located in the Agricultural-Residential (A-2) Zone.**

**Sean Conroy**, Community Development Director, went over the Staff Report for those in attendance. The subject property is a little over 2 acres in size. In 2005 the City issued a Conditional Use Permit (CUP) for a greenhouse on this property. There is a new owner now who is requesting that this Conditional Use Permit be reissued. Staff would be supportive with approving this, and would recommend approval with 16 off-street parking spaces required. Signs would need to be consistent with the City's Sign Ordinance.

**Matthew Gause**, applicant, stated that they are not going to be changing anything with the way it is set up. A lot of this is just going to be getting the property back up and running. All of the watering has been cut out, so they will need to restore those. The first year will probably be a big improvement time. They will not be doing much, if any retail, during this time but anticipates doing more in their second year. Mr. Gause is willing to meet all the recommended guidelines.

**Chairman Bringham** opened the Public Hearing. No comments were given and the Public Hearing was closed.

**Motion:** Commissioner Gappmayer moved to approve a Conditional Use Permit to reopen a greenhouse facility located in the Agricultural-Residential (A-2) Zone, with the conditions listed below:

1. The applicant shall obtain a business license prior to opening for business.
2. The applicant shall provide a minimum of 16 off-street parking spaces. A final site plan identifying the location of the proposed parking shall be

submitted to the Community Development Department prior to the issuance of a business license. The parking and driveway may be installed and maintained with gravel, but must ensure that dirt/mud is not tracked onto the roadway.

3. Up to four (4) seasonal signs may be allowed on the site with a maximum size of 16 square feet per sign and a maximum height of six feet. The signs shall be removed during the months when the facility is not in operation.
4. The use shall be conducted in a manner consistent with the presentations and statements submitted in the application and at the public hearing, and any change in the use which would alter the findings or conditions adopted as part of this permit shall require approval of an amended use permit by the Planning Commission.
5. Violations of the terms of this use permit or other ordinances of the City may constitute grounds for revocation of this permit and associated business license by the Planning Commission.
6. If the proposed use is abandoned for a period of six months or more, the use permit will become null and void.

**Second:** Commissioner Tippetts

**Vote:** Unanimous

**Item 4. Consideration of Final Plat approval for the Breckenridge Estates Subdivision consisting of nine (9) lots located in the Residential and Agricultural (RA-1) zone.**

**Sean Conroy**, Community Development Director, went over the Staff Report for those in attendance. This property was reviewed back in November and received a recommendation to the City Council to approve the Preliminary Plat. As proposed there is really no substantial change from what was proposed previously. The Planning Commission heard several concerns regarding ground water. The City Engineer has reviewed those concerns and is satisfied with what the applicant is recommending. The Geotech Report did not state a time period that the test pits should be done. **Commissioner Gappmayer** asked if the suggestions given in the Geotech Report could be recommendations or stipulations, and Sean stated they could recommend them.

**Brad Mackay**, applicant, stated the Development Review Committee (DRC) concerns have been addressed for the most part. As each home is dug there will be a ground water report done. Footings will be sitting on native ground in most cases. **Brian Gabler**, engineer, was also in attendance to answer any questions the Commission may have.

**Raymond Roberts** had some concerns he raised in the last meeting. Boundary Line Agreements were signed when the property was proposed to be developed. The developer at that time gained about 5,700 feet of property. The property owners have given up land based upon the road being located on the east side of the property. The developer stated that they do not have any knowledge of the sewer easement that went to 800 West with the previously proposed development. The new developer was made aware of these easements when they purchased the property. He does not feel the lateral pipes being proposed with the previous development are a requirement with this new proposal. Mr. Roberts is curious to know where the water is going to go with the ditch being piped. He feels there was some incorrect information given at the last meeting. **Ron Jensen** stated that they are proposing two inlets on the property. He does not feel that a 24" pipe will be sufficient. His biggest concern right now is the water, and stated he owns part of the current property they are proposing to develop right now. The applicant has not put forth any effort to meet with the property owners in this area. Everything from the west and east of this property drains to his back yard. The ditch there has approximately 2-3' of fill in it, and Mr. Jensen wonders who is going to clean it. His concern is the more building we do here is going to put pressure on this ground.

He feels the dike will push more water into his property or others in that area. He wants his inlet left intact. He does not feel the boundary lines are right. Ron is worried this development is going to create more and more water problems. If we do not do something now everyone will get stuck with it. There is a tremendous amount of water here. **Brian Bills** stated that his biggest concern is if the road goes in the middle of the property it will land lock the properties around them. No additional comments were given and the Public Hearing was closed.

The Boundary Line Agreement was done previously between the developer and property owners. **Commissioner Tippetts** asked what the situation is regarding Mr. Jensen's comments about owning some of the property. Sean stated that any boundary line disputes would have to be fixed before any plat could be recorded. Brad Mackay stated that he did not know about the boundary line dispute at the previous meeting, but stated the county would have it cleaned up within the next couple days. He stated the boundary line problems would be fixed before the plat was recorded. Commissioner Tippetts asked how the road was going to relate to the current 1600 South street. Mr. Mackay stated that the road will just gently rise and fall, meeting existing grade at the entrance and exit of the street. **Commissioner Jones** asked what stipulations they will put on the homes to help mitigate ground water issues. The applicants will have a storm drain stubbed into every lot with perimeter drains around every footing. They will also be building the homes up. Staff stated that the City's Engineer said it would not have an impact on any of the parcels, and feels the retention pond is sufficient to capture the ground and storm water. He is confident they can meet the requirements. **Commissioner Gappmayer** asked whose decision it was as to what is done with the ditch. Sean stated the City Engineer would need to make the decision regarding this. There is fall from the south side to the north side of the site. The applicants would not be opposed to cleaning out the ditches if the adjacent property owners would be okay with it. Ron Jensen's inlets should not be affected by this development.

**Motion:** Commissioner Tippetts moved to recommend approval to the City Council of the final plat for the Breckenridge Estates Plat "A" Subdivision with the attached findings and special conditions listed below:

1. All outstanding issues raised in the Development Review Committee (DRC) minutes dated January 22, 2013 shall be addressed prior to plat recording.
2. The City Engineer determine if the applicant could be allowed to clean out the ditch along the edge of the property to 800 South to help with drainage concerns from the adjacent property owners.

**Second:** Commissioner Gappmayer

**Vote:** Unanimous

**Item 5. Consideration of recommendations to the City Council regarding an ordinance to dissolve the Board of Adjustment (BOA) and to transfer the Board's responsibilities to the Planning Commission and to revise the appeals process.**

**Sean Conroy**, Community Development Director, went over the Staff Report for those in attendance. The primary part of this ordinance would be transferring the responsibilities from the Board of Adjustment to the Planning Commission. It would also state that if the City Council felt the Planning Commission acted in error they could review the application and appeal.

**Chairman Bringhurst** opened the Public Hearing. No comments were given and the Public Hearing was closed.

**Motion:** Commissioner Jones moved to recommend approval to the City Council of an ordinance to dissolve the Board of Adjustment (BOA) and to transfer the Board's responsibilities to the Planning Commission and to revise the appeals process.

**Second:** Commissioner Gappmayer  
**Vote:** Unanimous

**Item 6.**        **Consideration of recommendations to the City Council regarding an ordinance amending the City's bonding requirements for new subdivision improvements (Continued to 2/28/13).**

**Motion:**        Commissioner Tippetts moved to continue this item until the February 28, 2013 Planning Commission Meeting.

**Second:**        Commissioner Jones  
**Vote:**            Unanimous

**Item 7.**        **Adjourn.**

**Motion:**        Commissioner Tippetts moved to adjourn the meeting at 7:45pm.

**Second:**        Commissioner Gappmayer  
**Vote:**            Unanimous

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April Houser, Executive Secretary

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Date: